

that amount only for the operation and administration of the mediation program of the State with respect to which the amount was paid.

(d) Penalty

If the Secretary determines that a State has not complied with subsection (c) of this section, such State shall not be eligible for additional financial assistance under this chapter.

(Pub. L. 100-233, title V, § 502, Jan. 6, 1988, 101 Stat. 1663; Pub. L. 102-554, § 22, Oct. 28, 1992, 106 Stat. 4161; Pub. L. 103-354, title II, § 282(f)(1)(A), Oct. 13, 1994, 108 Stat. 3235.)

AMENDMENTS

1994—Subsecs. (a), (b)(1), (c). Pub. L. 103-354 struck out “agricultural loan” before “mediation program”.

1992—Subsec. (b)(1). Pub. L. 102-554, § 22(1), substituted “70” for “50”.

Subsec. (c). Pub. L. 102-554, § 22(2), inserted before period at end “with respect to which the amount was paid”.

§ 5103. Participation of Federal agencies

(a) Duties of Secretary of Agriculture

(1) In general

The Secretary, with respect to each program or agency under the jurisdiction of the Secretary—

(A) shall prescribe rules requiring each such program or agency to participate in good faith in any State mediation program certified under section 5101 of this title;

(B) shall participate in mediation programs certified under section 5101 of this title; and

(C) shall—

(i) cooperate in good faith with requests for information or analysis of information made in the course of mediation under any mediation program certified under section 5101 of this title; and

(ii) if applicable, present and explore debt restructuring proposals advanced in the course of such mediation.

(2) Nonbinding on Secretary

The Secretary shall not be bound by any determination made in a program described in section 5101 of this title if the Secretary has not agreed to such determination.

(b) Duties of Farm Credit Administration

The Farm Credit Administration shall prescribe rules requiring the institutions of the Farm Credit System—

(1) to cooperate in good faith with requests for information or analysis of information made in the course of mediation under any mediation program described in section 5101 of this title; and

(2) to present and explore debt restructuring proposals advanced in the course of such mediation.

(Pub. L. 100-233, title V, § 503, Jan. 6, 1988, 101 Stat. 1663; Pub. L. 100-399, title V, § 502, Aug. 17, 1988, 102 Stat. 1005; Pub. L. 103-354, title II, § 282(b), Oct. 13, 1994, 108 Stat. 3234.)

AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-354, § 282(b)(2), in introductory provisions inserted “or agency” after “each

program” and struck out “that makes, guarantees, or insures agricultural loans” after “of the Secretary”.

Subsec. (a)(1)(A). Pub. L. 103-354, § 282(b)(1), (3), inserted “or agency” after “such program”, struck out “agricultural loan” after “any State”, and inserted “certified under section 5101 of this title” after “mediation program”.

Subsec. (a)(1)(B). Pub. L. 103-354, § 282(b)(1), (4), struck out “, effective beginning on January 6, 1988,” after “shall”, and “agricultural loan” after “participate in”, and inserted “certified under section 5101 of this title” after “mediation programs”.

Subsec. (a)(1)(C)(i). Pub. L. 103-354, § 282(b)(1), (5)(A), struck out “agricultural loan” before “mediation program” and substituted “certified under” for “described in”.

Subsec. (a)(1)(C)(ii). Pub. L. 103-354, § 282(b)(5)(B), inserted “if applicable,” before “present”.

Subsec. (b)(1). Pub. L. 103-354, § 282(b)(1), struck out “agricultural loan” before “mediation program”.

1988—Subsec. (a)(1)(B). Pub. L. 100-399, § 502(a), inserted “effective beginning” before “on”.

Subsec. (a)(2). Pub. L. 100-399, § 502(b), substituted “section 5101 of this title” for “paragraph (1)”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-399 effective as if enacted immediately after enactment of Pub. L. 100-233, which was approved Jan. 6, 1988, see section 1001(a) of Pub. L. 100-399, set out as a note under section 2002 of Title 12, Banks and Banking.

§ 5104. Regulations

The Secretary and the Farm Credit Administration shall prescribe such regulations as may be necessary to carry out this chapter. The regulations prescribed by the Secretary shall require qualifying States to adequately train mediators to address all of the issues covered by the mediation program of the State.

(Pub. L. 100-233, title V, § 504, Jan. 6, 1988, 101 Stat. 1664; Pub. L. 103-354, title II, § 282(c), Oct. 13, 1994, 108 Stat. 3235.)

AMENDMENTS

1994—Pub. L. 103-354 in first sentence substituted “The” for “Within 150 days after January 6, 1988, the” and inserted at end “The regulations prescribed by the Secretary shall require qualifying States to adequately train mediators to address all of the issues covered by the mediation program of the State.”

§ 5105. Report

Not later than January 1, 1998, the Secretary of Agriculture shall report to Congress on—

(1) the effectiveness of the State mediation programs receiving matching grants under this chapter;

(2) recommendations for improving the delivery of mediation services to producers; and

(3) the savings to the States as a result of having a mediation program.

(Pub. L. 100-233, title V, § 505, Jan. 6, 1988, 101 Stat. 1664; Pub. L. 103-354, title II, § 282(d), (f)(1), Oct. 13, 1994, 108 Stat. 3235.)

AMENDMENTS

1994—Pub. L. 103-354 in introductory provisions substituted “1998” for “1990”, in par. (1) struck out “agricultural loan” before “mediation programs”, and in par. (3) substituted “a mediation” for “an agricultural loan mediation”.